ATTORNEY'S DOCKET NUMBER: 2003080-0071 (SK-744-CON4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Danishefsky *et al.*	Examiner:	Solola, T. A.
Serial No.:	10/004,571	Art Unit:	1626
Filed:	December 4, 2001		
For:	Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof		

Mail Stop: Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

Enclosed are the following documents:

1. Form PTO-1449 (21 page);
2. Supplemental Information Disclosure Statement (5 pages);
3. Transmittal Letter (1 page);
4. Cited Art (434); and
5. Return Postcard.

If any additional fees are required to be paid or if any overpayment has been made, please charge same to Deposit Account No. 03-1721.

Respectfully submitted,

C. Hunter Baker, M.D., Ph.D.
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Dated: 2/9/2005
3814598

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Amendments, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2-9-05 Sandra Saccocia
Date Signature

Sandra Saccocia
Typed or Printed Name of person signing certificate

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Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

[ ] An *original* Information Disclosure Statement; or

[X] A *supplemental* Information Disclosure Statement.

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2-9-05 Sandra Saccocia
Date Signature

Sandra Saccocia
Name of Person Signing

Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

[X] Pursuant to 37 CFR § 1.97(b); no fee or certification is required:

[ ] Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);

[ ] Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;

[X] Before the mailing of a first Office action on the merits; or

[ ] Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

[ ] Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:

[ ] Certifies that *either*:

[ ] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

[ ] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual

designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; or

[ ] Includes herewith the fee set forth in § 1.17(p),

[ ] Pursuant to 37 CFR § 1.97(d), after the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:

[ ] Certifies that *either*:

[ ] each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

[ ] That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; and

[ ] Includes herewith the fee set forth in § 1.17(p).

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

[X] A copy of each cited reference not indicated with an asterisk is included;

[ ] Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

[ ] Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

[ ] Does not contain non-English language citations;

[ ] Includes one or more translations of a non-English citation; or

[X] Does contain non-English language citations, of which the following is a concise explanation:

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 USC §102.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and

3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Dated: 2/9/2005

C. Hunter Baker, M.D., Ph.D.
Registration Number: 46,533

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FORM PTO-1449 (REV. 8-83) U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET: 2003080-0071 (SK-744-CON4)	IN RE APPLICATION NO.:10/004,571
INFORMATION DISCLOSURE STATEMENT *(Use several sheets if necessary)*	APPLICANT: Danishefsky *et al.*	
	FILING DATE: December 4, 2001	GROUP: 1626

U.S. PATENT DOCUMENTS

Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
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	6,096,757	Bishop	August 1, 2000	514	290
	6,117,659	Ashley	September 12, 2000	435	155
	6,121,029	Schupp	September 19, 2000	435	183
	6,211,412	Georg	April 3, 2001	568	309
	6,221,641	Khosla	April 24, 2001	435	193
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	6,683,100	Van Hoogevest	January 27, 2004	514	365
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	6,719,540	Regueiro-Ren *et al.*	April 13, 2004	417	365
	6,723,854	Danishefsky *et al.*	April 20, 2004	548	203
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U.S. PATENT APPLICATIONS

Examiner's Initials:	Serial Number:	Applicant:	Publication Date:	Group:	Art Unit:
	2002/0086812	Schweinfest et al.	July 4, 2002		
	2002/0115686	Hoogevest	August 22, 2002		
	2002/0119202	Hunter et al.	August 29, 2002		
	2002/0137152	Santi et al.	September 26, 2002		
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	2002/0164377	Hunter et al.	November 7, 2002		
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	2003/0139460	Schwede *et al.*	July 24, 2003		
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	2003/0060623	Vite *et al.*	March 27, 2003		
	2003/0054977	Kumar *et al.*	March 20, 2003		
	2003/0049841	Short *et al.*	March 13, 2003		
	2003/0045711	Ashley *et al.*	March 6, 2003		
	2003/0036515	Pardee *et al.*	February 20, 2003		
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	2004/0030147	White *et al.*	February 12, 2004		
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	2004/0049051	Hoefle *et al.*	March 11, 2004		
	2004/0053910	Danishefsky *et al.*	March 18, 2004		
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Examiner's	Document No.	Country	Date	Translation

FORM PTO-1449 (REV. 8-83)	U.S. Department of Commerce Patent and Trademark Office		ATTY. DOCKET: 2003080-0071 (SK-744-CON4)	IN RE APPLICATION NO.:10/004,571	
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Initials				Yes	No
	DE 41 38 042	Germany	19 November 1991		
	DE 196 07 702	Germany	29 February 1996		
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	DE 197 01 758	Germany	20 January 1997		
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	WO 03/070170	International	13 February 2002		
	WO 03/018002	International	06 March 2003		
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	WO 00/047584	International	11 February 2000		
	WO 00/039276	International	21 December 1999		
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	WO 00/031247	International	19 November 1999		
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	WO 99/066028	International	16 June 1999		
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Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)
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	Avila *et al.*, "The Use of Microtubule Poisons on Tumor Cells" *Cancer J.* **10**(6):315-318, 1997.
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